

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING  
THURSDAY, JULY 11, 2019 7:00 P.M.  
City Council Chambers  
Hurley Building – 205 Saltonstall St., Canandaigua NY  
City Website: canandaiguanewyork.gov

**Pledge of Allegiance:**

**Roll Call:**

**Members Present:** Councilmember Ward 1 Nick Cutri  
Councilmember Ward 2 Robert Palumbo  
Councilmember Ward 3 Karen White  
Councilmember Ward 4 Renée Sutton  
Councilmember-at-Large Robert O'Brien  
Councilmember-at-Large James Terwilliger  
Councilmember-at-Large Stephen Uebbing  
Mayor Ellen Polimeni

**Absent:** Councilmember-at-Large David Whitcomb

**Also Present:** City Manager, John Goodwin  
City Clerk-Treasurer Nancy C. Abdallah  
Corporation Counsel Carol S. Maue, Boylan Code  
Assistant City Manager Rob Richardson

**Review of Community Core Values:** Councilmember Ward 3 White read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

**Approval of Minutes:** June 6 2019:  
Moved: Councilmember-at-Large Terwilliger  
Seconded: Councilmember-at-Large Uebbing  
*Vote Result: Carried unanimously by voice vote (8-0)*

**Recognition of Guests:**

- Denise Chaapel, BID Downtown Manager – spoke about all the summer events and activities that are planned for the BID District. Thanked everyone for supporting the flower fund and beautification projects downtown.

**Committee Reports:**

***Planning/Development Committee:*** (Appendix A) No meeting to Report

***Environmental/Parks Committee:*** June 11, 2019 (Appendix B)

- Carbon Pricing Legislation
- Government Solid Waste Audit

***Ordinance/PUD Committee:*** June 18, 2019 (Appendix C)

- Ordinance Reducing Single-Use Plastics
- Violations Notices Via Registered Mail
- Vaping and Tobacco Establishments
- Parking Restrictions on Gibson Street
- Foie Gras Ban

***Finance/Budget Committee:*** June 25, 2019 (Appendix D)

- Wake Board Special Event
- Climate Smart Communities Grant
- Water Meter Endpoint Replacement Project
- WQIP
- Main Street New York Grant Program
- Canandaigua Finger Lakes Resort Dock Request
- Budget Discussion

***Committee of the Whole:*** July 9, 2019 (Appendix E)

- LDC Interviews
- Special Event-Habitat Block Party
- Discussion- Inn on the lake PILOT Application to Ontario County IDA

**Resolutions:**

**Resolution #2019-053**

Moved: Councilmember Ward 3 White

Seconded: Councilmember Ward 4 Sutton

**A RESOLUTION AMENDING A CONTRACT AND AUTHORIZING A BUDGET AMENDMENT  
FOR A GOVERNMENT SOLID WASTE AUDIT**

**WHEREAS**, on April 23, 2019 the City of Canandaigua was designated a Bronze Certified Climate Smart Community (CSC) by the New York State Department of Environmental Conservation (NYSDEC); and

**WHEREAS**, with that recognition achieved, the Climate Smart Canandaigua Task Force is actively pursuing Silver Certification; and

**WHEREAS**, one action that will help towards that recognition is a Government Solid Waste Audit, which would assess amount and composition of the waste generated by local government operations to measure waste diversion and reduction improvements over time; and

**WHEREAS**, the cost to a Government Solid Waste Audit is \$2,000, and the County's waste management funds can be used to fund the audit however a contract amendment is required; and

**WHEREAS**, Staff recommends amending the contract with Ontario County to allow funds to be used for this purpose, and authorizing a budget amendment to cover the cost; and

**WHEREAS**, this recommendation was reviewed and approved at the June 11<sup>th</sup> Environmental/Parks Committee meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, City Council hereby authorizes the City Manager to amend the contract with Ontario County to fund the Government Solid Waste Audit; and

**BE IT FURTHER RESOLVED**, City Council also authorizes a Budget Amendment in the amount of \$2,000 to cover the cost utilizing waste management funds.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger and Mayor Polimeni.*

*NOES: None*

### **Resolution #2019-054**

Moved: Councilmember-at-Large Uebbing

Seconded: Council Member Ward 1 Cutri

### **A RESOLUTION AUTHORIZING A SPECIAL EVENT**

#### ***Finger Lakes Wake***

**WHEREAS**, the City Council of the City of Canandaigua has received the following application for a special event in the City of Canandaigua:

- ***Finger Lakes Wake***

Date: August 3 & 4, 2019

Location: Kershaw Park

Coordinator: Finger Lakes Wake LLC, JJ Church

Time: Set up: 5:30pm; Start of Event: 6:00pm; Clean up: 8:30pm

Purpose: Wake Surf and Wakeboard Competition, Clinic and Demo

Expected Number of Participants: ~100

**WHEREAS**, this request was reviewed and approved at the June 25, 2019 Finance/Budget Committee meeting;

**NOW, THEREFORE, BE IT RESOLVED** that City Council hereby grants permission to hold the abovementioned special event at the time and location listed under the following conditions:

- 1) that no fee or admission shall be charged to the general public for admission to the special event; and
- 2) that alcoholic beverages are not permitted to be sold or consumed on public property; and
- 3) that if the event coordinators intend to place any signs in the Main Street median, such signs shall only be allowed by permit of New York State Department of Transportation; and
- 4) that the event coordinator will ensure that all tents that are required to be inspected will be inspected prior to the start of the special event; and
- 5) that a detailed summary of all costs under the City's special event policy will be provided to the event coordinators for reimbursement.
- 6) a safety plan be submitted to, and approved by the City Manager.

**BE IT FURTHER RESOLVED** that the organizer of the Special Event shall adhere to any regulations that the City Manager, Ontario County Sherriff's Department or the City Police Department, shall establish to insure the health and safety of Canandaigua residents and visitors throughout these events.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*Vote Result: Carried unanimously by voice vote (8-0)*

**Resolution #2019-055**

Moved: Councilmember-at-Large O'Brien

Seconded: Council Member Ward 2 Palumbo

**A RESOLUTION OF SUPPORT & AUTHORIZATION FOR THE CITY OF CANANDAIGUA 2019  
NEW YORK STATE CONSOLIDATED FUNDING APPLICATION:  
CLIMATE SMART COMMUNITIES GRANT PROGRAM**

**WHEREAS**, on April 23, 2019, the City of Canandaigua received recognition from the New York State Department of Environmental Conservation (DEC) as a Bronze Certified Climate Smart Community and is actively seeking Silver Certification; and

**WHEREAS**, through years of proactive measures to promote environmental stewardship, the City was able to earn this certification without establishing the critical benchmarks and baselines needed to determine and guide future actions; and

**WHEREAS**, these baselines and inventories (Government Operations Greenhouse Gas Inventory, Community Greenhouse Gas Inventory, Natural Resources Inventory, and Climate Vulnerability Assessment) must be completed so the City to pursue Silver Certification successfully; and

**WHEREAS**, an RFP for these actions was sent to three agencies on June 7th, with only Impact Earth responding with a bid of \$55,875 for all 4 projects combined; and

**WHEREAS**, through the Consolidated Funding Application (CFA), the DEC offers the Climate Smart Communities (CSC) Grant Program, which provides municipalities 50% of the funding necessary to perform inventories, assessments, and planning projects used to address climate change at the local level; and

**WHEREAS**, the City of Canandaigua meets the eligibility requirements for the CSC Grant program, and plans to submit an application for funding to complete the Government Operations Greenhouse Gas Inventory, Community Greenhouse Gas Inventory, Natural Resources Inventory, and Climate Vulnerability Assessment; and

**WHEREAS**, the CSC Grant Application requires a formal resolution from City Council authorizing the submission of the application, as well as a stated commitment to match funds should the grant be awarded; and

**WHEREAS**, Staff recommends authorizing the submission of the grant as well as including the 50% funding match (\$27,937.50) in the 2020 Budget, and these recommendations were reviewed and approved at the June 25<sup>th</sup> Finance/Budget Committee meeting;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council fully supports and hereby authorizes the submission of a Climate Smart Communities Grant Application for \$27,937.50 and pledges to include it's 50% match (\$27,937.50) for the application in the 2020 Budget.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger and Mayor Polimeni.*

*NOES: None*

### **Resolution #2019-056**

Moved: Council Member Ward 1 Cutri

Seconded: Councilmember Ward 3 White

### **A RESOLUTION DECLARING A SOLE SOURCE FOR THE WATER METER ENDPOINT REPLACEMENT PROJECT**

**WHEREAS**, last year, City Staff began to look into the replacement of the water meters and endpoints;  
and

**WHEREAS**, after testing pilot of water meters and review of the usage (water meter useful life is measured by years and/or usage), City Staff determined that the residential meters do not need to be replaced;  
and

**WHEREAS**, the endpoints, however, have reached their useful life, have started to fail, and need replacement; and

**WHEREAS**, the 2019 Water Fund and Sewer Fund Capital Budgets included \$112,500 for 2019, 2020 and 2021 (\$225,000 in total each year) to replace the endpoints; and

**WHEREAS**, the City's system is comprised of Badger meters and as such, the endpoints should also be Badger for capability and warrantee purposes, as the meters themselves are not going to be replaced; and

**WHEREAS**, Badger has one distributor in the Northeast, Schmidt's Wholesale in Monticello, NY, and as a result is a sole source; and

**WHEREAS**, Competitive Bidding is not required under NYSGML §103 in such cases; however, the Purchasing Policy requires City Council authorization; and

**WHEREAS**, Staff recommended authorizing Schmidt's Wholesale in Monticello, NY as the sole source distributor, and this recommendation was reviewed and approved at the July 25<sup>th</sup> Finance/Budget Committee meeting;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby authorizes Schmidt's Wholesale in Monticello, NY as the sole source distributor for the Water Meter Endpoint Replacement Project.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger and Mayor Polimeni.*

*NOES: None*

**Resolution #2019-057**

Moved: Council Member Ward 2 Palumbo

Seconded: Council Member Ward 1 Cutri

**A RESOLUTION REGARDING THE SEQR FOR THE CITY OF CANANDAIGUA  
WATER RESOURCE RECOVERY FACILITY DISINFECTION IMPROVEMENTS FOR THE  
WATER QUALITY IMPROVEMENT PROGRAM GRANT**

**WHEREAS**, the City of Canandaigua (hereinafter the “City”) owns and maintains the Water Resource Recovery Facility (hereinafter the “WRRF”) for the City of Canandaigua sanitary sewer system; and

**WHEREAS**, the City is proposing improvements to the existing WRRF, including a chlorination/dechlorination effluent disinfection system (collectively, the “Project”); and

**WHEREAS**, the City is obligated under SEQRA and corresponding regulations to review the Project, and if necessary, undertake a review of the potential environmental impacts associated with the Project before undertaking the same; and

**WHEREAS**, the City is the appropriate agency to be the lead agency to undertake the project review under SEQRA; and

**WHEREAS**, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the City classified the Project as an Unlisted Action given § 617.2(al), Unlisted Action means all actions not identified as a Type I or Type II action. A Short Environmental Assessment Form was prepared for the Project, and pursuant to 6 NYCRR § 617.6(b)(4)(i), uncoordinated review was undertaken by the City;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby finds that this project proposes to upgrade the existing City of Canandaigua Water Resource Recovery Facility to accommodate an effluent disinfection. This will include the installation of a new on-site hypochlorite generation system within an existing chemical feed room, chem meter pumps, holding tanks, miscellaneous electrical and plumbing work, backup power generator, upgrades to an existing chlorine contact tank, demolition of a derelict storage tank, and other miscellaneous improvements as necessary; and

**BE IT FURTHER RESOLVED**, that City Council hereby designates itself lead agency pursuant to 6 NYCRR § 617.6(b)(2) and § 617.6(b)(4) with respect to the Project; and

**IT IS FURTHER RESOLVED**, that based upon an examination of the components of the Project, the Short Environmental Assessment Form, and the criteria contained in 6 NYCRR § 617.7(c), and based upon its knowledge of the areas including and surrounding the Project site, and discussions with professionals retained by the City, the City Council, as lead agency, hereby makes the following determinations with respect to the Project pursuant to SEQRA:

- A. The Project constitutes an “Unlisted Action.”
- B. Based upon review by the City Council of the Short Environmental Assessment Form, any input provided by other involved agencies, and other necessary criteria set forth in SEQRA, the City Council hereby finds and determines that the Project will result in no significant impacts and therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,”

and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.

- C. A copy of this resolution, together with notice of negative declaration, shall be placed on file in the office of the City Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA. This resolution shall take effect immediately.

*Vote Result: Carried unanimously by voice vote (8-0)*

### **Resolution #2019-058**

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember-at-Large Uebbing

#### **A RESOLUTION OF SUPPORT & AUTHORIZATION FOR THE CITY OF CANANDAIGUA 2019 NEW YORK STATE CONSOLIDATED FUNDING APPLICATION: WATER QUALITY IMPROVEMENT PROGRAM**

**WHEREAS**, the City’s Waste Water Treatment Plant (aka Water Resource Recovery Center) is required to disinfect its effluent as part of its permit renewal from the NYSDEC; and

**WHEREAS**, last year, the City began the design of the disinfection by hiring an engineer (Hunt Engineers) to evaluate the different technologies and design the necessary improvements and included grant writing for the project as part of the RFP to design the disinfection improvements; and

**WHEREAS**, as such, Hunt Engineers has prepared an application for a Water Quality Improvement Program Grant- a competitive, statewide reimbursement program open to local governments; and

**WHEREAS**, the program’s high priority for this application cycle is wastewater effluent disinfection projects, and will fund up to \$1,000,000 with a 25% local match; and

**WHEREAS**, Staff recommended authorizing the application, and the recommendations was reviewed and approved at the June 25<sup>th</sup> Finance/Budget Committee meeting;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council fully supports and hereby authorizes the submission of a Water Quality Improvement Grant Application.

*The motion CARRIED UNANIMOUSLY on the following vote:*

***AYES:** Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O’Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger and Mayor Polimeni.*

***NOES:** None*

### **Resolution #2019-059**

Moved: Councilmember Ward 4 Sutton

Seconded: Councilmember Ward 3 White

**A RESOLUTION DECLARING AN APPLICATION THROUGH THE 2019 NEW YORK STATE CONSOLIDATED FUNDING APPLICATION (CFA) UNDER THE NEW YORK STATE MAIN STREET PROGRAM AS A SEQR TYPE II ACTION**

**WHEREAS**, the City of Canandaigua is completing an application through the 2019 New York State Consolidated Funding Application (CFA) under New York State Main Street Program, created by the Housing Trust Fund Corporation (HTFC) for the preparation of a Technical Assistance Project;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby classifies the above referenced Action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [27] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED**, that Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FURTHER RESOLVED**, that City Council, in making this classification, has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger and Mayor Polimeni.*

*NOES: None*

**Resolution #2019-060**

Moved: Councilmember Ward 3 White

Seconded: Council Member Ward 2 Palumbo

**A RESOLUTION OF SUPPORT & AUTHORIZATION FOR THE CITY OF CANANDAIGUA  
2019 NEW YORK STATE CONSOLIDATED FUNDING APPLICATION,  
NEW YORK MAIN STREET GRANT APPLICATION**

**WHEREAS**, the City Manager recommended the submission of a 2019 Consolidated Funding Application (CFA) to the New York State Office of Community Renewal for funding under the New York Main Street Program's Technical Assistance category to conduct an overall study to improve community and property owner's readiness for renovation activity; and

**WHEREAS**, the Office of Community Renewal (OCR), under the direction of the Housing Trust Fund Corporation, provides a competitive statewide reimbursement grant program to provide resources to invest in projects that provide economic development and housing opportunities in downtown, mixed-use commercial districts and assist in the initial planning to stimulate reinvestment and leverage additional funds to establish and sustain downtown and neighborhood revitalization efforts; and

**WHEREAS**, The City of Canandaigua meets NYMS eligibility and is located in an eligible target area; and

**WHEREAS**, the City will be partnering with the Canandaigua Business Improvement District (BID) to submit this grant to improve downtown management and revitalization; and



**WHEREAS**, if funding is received it will allow the City to prepare a building reuse and feasibility analysis to provide property owners with the resources necessary to make informed decision regarding rehabilitation;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council of the City of Canandaigua identifies the City Manager as the authorized representative for the project, able to execute necessary documents relative to and as required for this application; and

**BE IT FURTHER RESOLVED**, that City Council does hereby agree to provide at least 5% match of the total project cost, such that applying for the maximum of \$20,000 in NYMS funds will require a minimum of \$1,053 in local match in the form of cash contributions only, to be appropriated in the 2020 Budget; and

**BE IT FURTHER RESOLVED**, that the City of Canandaigua recognizes and fully supports the submission of the CFA for a NYMS Grant to complete a study to improve its Downtown area.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger and Mayor Polimeni.*

*NOES: None*

### **Resolution #2019-061**

Moved: Council Member Ward 2 Palumbo

Seconded: Councilmember Ward 4 Sutton

### **A RESOLUTION AUTHORIZING A SPECIAL EVENT** ***Habitat Block Party***

**WHEREAS**, the City Council of the City of Canandaigua has received the following application for a special event in the City of Canandaigua:

- ***Habitat Block Party***

Date: August 10, 2019

Location: Block of Saltonstall between Pleasant and Center Streets

Coordinator: Nash Bock

Time: 10 a.m.- 1 p.m.

Purpose: Celebrate the Community's Effort in the Construction of a New Home @  
41 Saltonstall Street

Expected Number of Participants: 50

**WHEREAS**, this request was reviewed and approved at the July 9, 2019 Committee of the Whole meeting;

**NOW, THEREFORE, BE IT RESOLVED** that City Council hereby grants permission to hold the abovementioned special event at the time and location listed under the following conditions:

- 1) that no fee or admission shall be charged to the general public for admission to the special event; and

- 2) that alcoholic beverages are not permitted to be sold or consumed on public property; and
- 3) that if the event coordinators intend to place any signs in the Main Street median, such signs shall only be allowed by permit of New York State Department of Transportation; and
- 4) that the event coordinator will ensure that all tents that are required to be inspected will be inspected prior to the start of the special event; and
- 5) that a detailed summary of all costs under the City's special event policy will be provided to the event coordinators for reimbursement.

**BE IT FURTHER RESOLVED** that the organizer of the Special Event shall adhere to any regulations that the City Manager or the City Police Department, shall establish to insure the health and safety of Canandaigua residents and visitors throughout these events.

*Vote Result: Carried unanimously by voice vote (9-0)*

**Resolution #2019-062**

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember-at-Large Uebbing

**A RESOLUTION AUTHORIZING THE SUBMITTAL OF A NYS CONSOLIDATED FUNDING APPLICATION FOR SOURCE WATER PROTECTION PROJECTS IN THE CANANDAIGUA LAKE WATERSHED**

**WHEREAS**, the City of Canandaigua, in partnership with the Canandaigua Lake Watershed Council, intends to submit a NYS Consolidated Funding Application to the NYS Department of Environmental Conservation to provide funding to complete source water protection projects in the Canandaigua Lake watershed; and

**WHEREAS**, the grant application is seeking source water protection funds to protect critical landscapes and implement restoration projects to reduce nutrients, sediment and bacteria from entering the lake along with building flood resiliency within the watershed;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Canandaigua that the Watershed Program Manager is hereby authorized to commit the City of Canandaigua and Canandaigua Lake Watershed Council to comply with the requirements of Article 15-A of the New York State executive Law: Participation By Minority Group Members and Women With Respect To State Contracts by providing opportunities for MBE/WBE participation; and

**BE IT FURTHER RESOLVED**, that the Watershed Program Manager is hereby authorized to submit a NYS Consolidated Funding Application to the NYS Department of Environmental Conservation for Source Water Protection Funds to protect critical lands and implement restoration projects on behalf of the City of Canandaigua and Canandaigua Lake Watershed Council.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger and Mayor Polimeni.*

*NOES: None*

## **Ordinances:**

### **Ordinance #2019-003**

Councilmember-at-Large Terwilliger read the following ordinance and placed it on the table.

#### **AN ORDINANCE AMENDING CHAPTERS 585, 657, 748, 850 ENTITLED SOLID WASTE, JUNKED VEHICLES, HOUSING STANDARDS AND ZONING OF THE MUNICIPAL CODE**

SECTION 1. Chapter 585-10 (2) (Solid Waste: Violations; enforcement procedures; penalties for offenses) of the Municipal Code is hereby amended as follows [new language is ***in bold italics***, deleted language is stricken]:

If a condition existing on a property violates the provisions of this chapter, the Director of Public Works, or the Code Enforcement Officer, shall serve or cause to be served a written demand notice, by ~~certified~~ ***regular*** mail or personal service upon the owner, owner's legal representative, lessee, agent, tenant, or other person exercising control of the premises. Said demand notice shall contain identification of the premises as appears on the current assessment roll of the City; a statement of the condition of the premises as found at the time of the inspection; a demand to maintain property in compliance with this chapter and/or that motorized equipment, litter, appliances, rubbish, refuse, recyclables, or debris be removed from the premises on or before five days after the mailing or service of such notice.

SECTION 2. Chapter 657-5 (Junked Vehicles: Notices; duties of Enforcement Officer) of the Municipal Code is hereby amended as follows [new language is ***in bold italics***, deleted language is stricken]:

Whenever the Code Enforcement Officer finds or is notified that any junked motor vehicle has been stored or permitted to remain on any private property within the City, the Code Enforcement Officer shall send by ~~registered or certified~~ ***regular*** mail a notice to the owner of record of such motor vehicle, if the name of such owner can be ascertained by the exercise of reasonable diligence, and also the owner of the private premises, as shown on the tax assessment records of the City, on which the same is located to remove the junked motor vehicle or motor vehicles within 30 days. Such notice shall also contain the following additional information:

SECTION 3. Chapter 748-54 (c) (Housing Standards: Violation order) of the Municipal Code is hereby amended as follows [new language is ***in bold italics***, deleted language is stricken]:

Such order shall be deemed to be properly served upon such owner, agent, operator or occupant if a copy is served upon him personally or if a copy thereof is sent by ~~registered~~ ***regular*** mail, return receipt requested, to the last known address of such persons or if a copy is posted in a conspicuous place in or about the building affected by the order and if a copy is mailed by ~~registered~~ ***regular*** mail on the same day it is posted to the owner, agent, operator or occupant or by such other method authorized by the laws of the State of New York.

SECTION 4. Chapter 748-56 (b) (Housing Standards: Reinspection) of the Municipal Code is hereby amended as follows [new language is ***in bold italics***, deleted language is stricken]:

Whenever the Code Enforcement Officer has notified a property owner in writing of any violation of the minimum housing standards or any other appropriate law, and within two years of that written notification a subsequent Notice of violation or order of violation is issued to the same property owner for a violation of the same code or standard then a repeat inspection fee may be assessed for each

subsequent notice of violation or order of violation that is sent to the property owner by the Code Enforcement Officer by ~~certified~~ **regular** mail.

SECTION 5. Chapter 850-7 (D)(1) (Zoning: Penalties for offenses: Repeat inspection fees) of the Municipal Code is hereby amended as follows [new language is ***in bold italics***, deleted language is stricken]:

In addition to all other applicable fees established by City Council, whenever the Zoning Officer has notified a property owner in writing of any violation of the Municipal Code, or any other appropriate law, and within two years of that written notification a subsequent notice of violation or order of violation is issued to the same property owner for a violation of the same code or standard then a repeat inspection fee may be assessed for each subsequent notice of violation or order of violation that is sent to the property owner by the Zoning Officer by ~~certified~~ **regular** mail and posting on the property, or by personal service.

SECTION 6. This ordinance shall take effect thirty (30) days from its adoption.

### **Ordinance #2019-004**

Council Member Ward 1 Cutri read the following ordinance and placed it on the table.

#### **AN ORDINANCE AMENDING CHAPTER 648 OF THE MUNICIPAL CODE FOR A CORRECTION**

**BE IT ENACTED** by the City Council of the City of Canandaigua that:

**Sec. 1** That chapter 648, section 648-21 of the Municipal Code, is hereby amended as follows (additions in bold):

#### **§ 648-21 Parking, standing and stopping restrictions.**

Parking, standing and stopping restrictions shall apply on the following streets as follows:

Name of Street	Restriction
Gibson Street	No parking on the north side from the east curbline of Hubbell Street to a point 155 feet easterly therefrom
Gibson Street	No parking on the north side from east curbline of North Main Street to the west curbline of Hubbell Street
Gibson Street	No parking on the south side from the west curbline of Catherine Street to a point 200 feet westerly therefrom
Gibson Street	No parking on the south side from the east curbline of North Main Street to a point 125 feet easterly therefrom
Gibson Street	No parking on the south side from <del>the east curbline of North Main Street to a point 494</del> <b>125 feet east of the curbline of North Main Street</b> <del>easterly therefrom to a point 200 feet from the west curbline of Catherine Street,</del> except Sundays from 6:00 a.m. to 1:00 p.m and any time on December 24 and December 25.

**Sec. 2** This ordinance shall be effective thirty (30) days following its enactment.

**Local Laws:** None

**Manager's Report:** City Manager John D. Goodwin reported the following:

- Street light project – Poles with traffic lights on them are being painted. The remaining poles on Main St. will be installed in October. Remaining City poles will be converted to LED.
- Tom's Mobil - The RFP for the Toms' Mobile property has been released to the public and are waiting for responses.
- Construction projects underway: Coy St. parking lot and Bristol St. reconstruction project.
- Pickle Ball Courts ribbon cutting will be on July 24<sup>th</sup>.
- Thanked City staff for their work on the 4<sup>th</sup> of July with the parade and community picnic and fireworks at Kershaw Park.
- DRI presentation was held at MCC on June 20<sup>th</sup>. Lindsay Morrow, Mae Fox and Denise Chaapel joined me in the presentation

**Appointments:**

- The Mayor appointed Maggie Bringewatt to the Comprehensive Plan Committee.
- Councilmember-at-Large Terwilliger moved to appoint Robert Taylor as the City representative on the Local Devolvement Corporation "LDC". Councilmember-at-Large Uebbing seconded the motion. Vote Result: Carried unanimously by voice vote (8-0)

**Miscellaneous:**

- Council Member Ward 1 Cutri moved a Public Hearing to be held for Ordinance 2019-003 at the next City Council meeting. Councilmember Ward 4 Sutton seconded the motion. Vote Result: Carried unanimously by voice vote (8-0)
- Budget Discussions

**Adjournment**

Councilmember Ward 4 Sutton moved to adjourn the regular session at 8:20 PM. Councilmember Ward 3 White seconded the motion.

*Vote Result: Carried unanimously by voice vote (8-0).*

Nancy C. Abdallah, Clerk Treasurer  
City of Canandaigua

**APPENDIX A**  
**PLANNING/DEVELOPMENT COMMITTEE**  
**7:00 p.m.**  
**Council Chambers- The Hurley Building**

**NO MEETING FOR JULY MINUTES**

**APPENDIX B**  
**ENVIRONMENTAL/PARKS COMMITTEE**  
**Tuesday, June 11, 2019**  
**7:00 PM**  
**Council Chambers- The Hurley Building**

**Committee:** Karen White- Chair, Bob Palumbo, Renée Sutton, Dave Whitcomb

**Other Councilmembers:** Mayor Polimeni, Nick Cutri, Robert O'Brien, Jim Terwilliger, Steve Uebbing

**Staff:** John D. Goodwin, Rob Richardson

**1. Carbon Pricing Legislation**

According to the Citizen Climate Lobby (CCL), the environmental, health, and social costs of carbon emissions are not included in prices paid for fossil fuels. To address external costs generated through burning fossil fuels, Congress is considering CCL supported legislation that would charge fossil fuel companies a tax for their carbon dioxide emissions. The Energy Innovation and Carbon Dividend Act, announced in November 2018, would charge \$15 for each ton of carbon emitted into the air and would increase that fee by \$10 every year afterward, in an effort to fight climate change while all of the money generated (minus administrative costs) would go back to taxpayers. The Canandaigua chapter of the CCL is asking City Council to support this legislation (see attached), and members of the CCL will be at the meeting to discuss their request and answer questions for Councilmembers. This item was originally scheduled for discussion during the May 14th meeting, but the committee did not have a quorum.

Karen provided a brief overview of this item, and mentioned the group was at the last meeting. We did not have a quorum, however. There were no members of the CCL at the meeting. She pointed to the attached documents regarding action other communities have taken- specifically a letter from the Town of Pittsford. The letter essentially says they urge Congress to enact the legislation.

Robert asked how many council members are in Pittsford and why they chose this option. Karen said they are flexible and willing to accept any level of support. The letter was sent to McConnell, Schumer, Pelosi among others. Renée is in favor of sending a similar level, and she thinks there would be tangible benefits if this gets passed- it's the right thing to do. Bob pointed out that this issue is complex, and pointed to how several things can impact carbon emissions. Sometimes one attempt to resolve another problem creates others. Robert asked if they sent a letter because they couldn't pass a resolution- Renée pointed out the letter is signed by the entire council. Robert thinks a letter gives people the chance to sign on and agree or not. Bob suggested having them come back in August. Jim is maintaining his original position, and he will not support this if it goes to Council. He doesn't think it's City Council's business to get involved in national political issues. The fact there is a lobby group working hard at the national level supports that, and we shouldn't be supporting one lobby group over another. Our efforts should be focused on legislation that directly impacts our City- things we have direct control over that can be done in a timely way. Dave agrees with Jim, and he has concerns about supporting something he hasn't read. Going on a brochure from one side isn't adequate information. There are times when it's appropriate to weigh in on national issues, but we should not be in the business of commenting on State and national issues. Steve pointed out companies can pass this cost on to consumers. Karen believes if residents want to bring issues to Council, we have a responsibility to listen. This is a complicated issue.

**Renée motioned to draft a letter of support. There was no second.**

Karen asked if the committee would be interested in having the group back in August, and Bob said yes. Renée pointed out these groups would prefer not to exist at all, but they exist for a purpose and she trusts the motivation behind the legislation. She also thinks Dave is correct in that we aren't really accomplishing anything, but she thinks that as leaders we must stand up for what is right. Either we have consensus and write a letter or move on. The Mayor said the resolution is too long and complex to get the attention of legislators, but the letter addresses the issue- she asked if that was preferable. Robert said it should be optional to sign if we do one. Dave pointed out that if we want to write a letter, those who do can do so without legislation. Karen is going to draft a letter and have anyone who wants to sign it can do so.

## **2. Government Solid Waste Audit**

On April 23, 2019 the City of Canandaigua was designated a Bronze Certified Climate Smart Community (CSC) by the New York State Department of Environmental Conservation (NYSDEC). With that recognition achieved, the Climate Smart Canandaigua Task Force is actively pursuing Silver Certification. One action that will help towards that recognition is a Government Solid Waste Audit, which would assess amount and composition of the waste generated by local government operations to measure waste diversion and reduction improvements over time. This essential step towards greener municipal operations will also provide the baseline data required to pursue other CSC Actions. On May 21<sup>st</sup>, CSC Coordinator Rob Richardson and CSC Chair Suzi van der Sterre met with Impact Earth, who recently conducted the same assessment for the Canandaigua City School District, to explore the possibility of having them do an audit on City Municipal Buildings. The cost to have Impact Earth perform a Government Solid Waste Audit is \$2,000. Carla Jordan, Director of the Ontario County Department of Sustainability and Solid Waste Management, confirmed that the County's waste management funds can be used to fund the audit however a contract amendment is required. Staff recommends amending the contract with Ontario County to allow funds to be used for this purpose, and authorizing a budget amendment to cover the cost.

Karen provided a brief overview of the topic. Renée asked why we would need to amend the contract and a budget amendment. John stated it's because, in the budget, we have a 124 account that is specifically for compost bins and waste water management. We need to amend the budget to use the funds. John pointed out we've been able to do the Bronze certification without spending money. This is another example of us moving forward without spending city money.

Renée suggested having alternative fuel vehicles be included as a budget priority. John said we are aware of an emerging market, but we usually wait to see what mistakes others make before getting involved. John said we can provide this information. Bob suggested talking to the DOT for infrastructure to make this a possible option. Steve said he used compressed natural gas at his first school district, and they saved a lot of money.

**Renée moved to approve the request, Bob seconded.**

**4 in favor, 0 opposed. Motion carries to Full City Council.**

**Renée motioned to adjourn, Bob seconded.**

**Meeting adjourned at 7:32 p.m.**



**APPENDIX C  
ORDINANCE COMMITTEE**

**Tuesday, June 18, 2019**

**7:00 PM**

**Council Chambers- The Hurley Building**

**Committee:** David Whitcomb, Chair (Absent), Nick Cutri, Jim Terwilliger, Karen White

**Other Councilmembers:** Mayor Polimeni, Bob Palumbo, Renée Sutton, Robert O'Brien, Steve Uebbing (7:31)

**Staff:** John D. Goodwin, Rob Richardson, Terence Robinson

**1. Ordinance Reducing Single-Use Plastics**

Last year, upon the request of Councilmember David Whitcomb, the Ordinance Committee began a discussion of an ordinance banning the use of plastic straws in the City. After much discussion the Committee decided to explore a more comprehensive approach and potentially adding other items such as plastic bags and polystyrene foam items in an effort to reduce waste and prevent pollution. At the February 19<sup>th</sup> Ordinance Committee meeting, Council decided more information was needed before taking any legislative action and directed Staff to invite community stakeholders who would be impacted by such a ban. At its March 19<sup>th</sup> meeting, representatives from Wegmans and Pactiv addressed Council and discussed how the proposed ordinance would impact their business operationally and economically. At its April 16<sup>th</sup> meeting, representatives from the Canandaigua City School District, Ontario County, and the Town of Canandaigua shared how the proposed ordinance could impact them. Members of the Merchants Association and local restaurant owners were invited to the May meeting to discuss how the proposed ordinance would impact them, however they were unavailable and sent feedback through the Mayor and the BID. For this meeting, the New York State Association for Reduction, Reuse, and Recycling (NYSAR3) has been invited to share their views on the proposed ordinance and discuss the impact it could have on the City of Canandaigua.

**There was no one here from NYSAR3. We moved on to Item #2.**

**2. Violations Notices Via Registered Mail**

Several sections of City Code require that violation orders be served personally or sent by registered mail, return receipt requested. This process not only adds costs to the code enforcement process, but also adds time to the process to obtain compliance. At the May Ordinance Committee meeting, Staff was asked to bring back the sections of the City Code this would impact as well as recommendations for which sections should be changed. These will be reviewed and discussed so Council can make a determination on which sections of the code should be amended.

**John provided a brief overview of the sections of code that would be impacted, and he covered the ones he believed should be changed to regular mail.**

**Renée believes this is a great recommendation. Bob is worried this will open up an “I didn’t get it” issues. John pointed out registered is still in play for sections that are necessary. Jim added if we have a problem, we can revisit it. John sees this as a time and cost saving measure, not just in terms of for staff but it gets the information to the resident faster.**

**Nick moved to accept the changes as proposed, Jim seconded.**

**3 in favor, 0 opposed. Motion carries to Full City Council.**

### 3. Vaping and Tobacco Establishments

There have been concerned raised recently regarding the number and proximity of vaping/tobacco establishments in the City, particularly in the Downtown area. At its April 16<sup>th</sup> meeting, the Ordinance Committee requested that staff draft an ordinance that included a licensure of tobacco establishments and included zoning restrictions. As directed, Staff has drafted an ordinance that will be reviewed by Council during this meeting.

Terence tried to explain why the legislation is needed. There would be an application period, and we discussed having a cap on the number of available licenses. There is also a licensing fee of \$1,000 to ensure those who are applying are solid business owners plus hefty fines. It also removes the possibility of future spots downtown and on the lakefront.

Jim asked how many stores we have, and Terence said he has not done an exhaustive search but there are roughly a dozen. If they don't have a license and they get cited it's a 1K per violation. John pointed out we could put people out of business or restrict gas stations forcing them to give them up. The Mayor added there was some discussion on grandfathering in existing businesses, which is not in the ordinance. Karen thinks this a little aggressive and redundant to laws that exist. The intent is honorable but the reasons are disingenuous. Minors shouldn't be buying these products anyway. She pointed out were legislating before educating and restricting law abiding adults. We need to focus on education in schools and youth organizations. We already have legislation regarding this, and the licensing fee is discriminatory. Bob added he thought the concern was not having an overrun of these downtown, how far they could be apart, and regarding proximity to schools. Bob would like to see something focused on the downtown area.

The Garrett Sisters from Vapor Rising were at the meeting, and they were concerned we are confusing the issues. Their stores are there to educate, and her mom, who is dying of emphysema, works the register. Kids are getting the products from overseas, and their average client is 50 years old. Now 900 people no long smoke in this city because of vaping. They are angry that no one considered asking vape businesses with this potential legislation. Business adjacency is the way to address this issue. Mike thinks the City has no business limiting business. He compared nicotine to sugar and caffeine, and he doesn't see us going after candy stores and coffee shops. Karen reinforced this is an education issue, not legislation.

**Nick moved to table this until the ordinance can be re-written.**

### 4. Parking Restrictions on Gibson Street

The City received complaints regarding the parking restrictions and enforcement in and around the several churches on North Main Street, particularly near Gibson Street. The Committee briefly discussed the restrictions in place at the May Ordinance Committee meeting, but requested that a map be provided to assist in the review. The Committee also requested that Corporation Counsel be present to discuss his concerns. This is an ongoing discussion.

Terence was at the meeting to provide a brief overview of this item and discuss his concerns. The main issue he sees is on South Gibson. The ordinance needs to be corrected slightly to align it with the original intent of Council and so it doesn't contradict itself. Terence recommends Council consider making it uniform no parking from Catherine Street to Main Street. Nick has concerns about weddings, funerals and when school is in session. He can't support eliminating the temporary parking. Steve wants to better understand the concerns of parking there- he isn't sure what the issue is with parking on the south side of the street. Renée doesn't want us to be held accountable if there is a way to prevent safety issues. Bob said that it can be hard to pull out and see what's coming, and the way it is now is fine. Renée pointed out that if it is unsafe every other day of the year, it is unsafe Sundays and Christmas eve and Christmas day. The

Mayor thinks it's been working fine. It would be a loss of roughly 10 spots. Terence pointed out we've been hit with a judgment before, and if we allow parking, we might be liable if there is another accident. Steve doesn't see a need for restrictions when school isn't in session, which is essentially what is how things are now.

**Jim moved to make the small technical changes, Nick seconded.**

**3 in favor, 0 opposed. Motion Carries to Full City Council.**

**5. Foie Gras Ban**

Foie Gras, meaning "fatty liver" in French, is the liver of a duck or goose. Although considered a delicacy in many parts of the world, it is controversial. Joel Freedman raised concerns with City Council at its June 6<sup>th</sup> meeting and expressed that he considers the methods used to produce foie gras as inhumane. Several countries have outlawed the production, sale and consumption of foie gras. Joel Freedman asked City Council to do both an ordinance banning the sale or production of foie gras within City limits, as well as a resolution supporting an overall foie gras ban in the State of New York. This item was added to the agenda for further discussion.

Steve thinks we should handle this the same way we handled the carbon tax- write a letter. Joel says there is very little support for legislation. Some showed support for a letter.

**Nick motioned to close, Jim seconded.**

**3 in favor, 0 opposed.**

**Meeting adjourned at 8:10 p.m.**

**APPENDIX D**  
**FINANCE/BUDGET COMMITTEE**  
**Thursday, June 25, 2019**  
**7:00 p.m.**  
**Council Chambers- The Hurley Building**

**Committee:** James Terwilliger, Chairman, Robert O'Brien, Steve Uebbing, Nick Cutri

**Other Councilmembers:** Mayor Polimeni, Karen White, Renée Sutton, David Whitcomb

**Staff:** John D. Goodwin, Rob Richardson, Terence Robinson, Jim Sprague, Steve Hedworth

**1. Wake Board Special Event**

Finger Lakes Wake, LLC has submitted a special events application to host "Finger Lakes Wake," a Wake Surf and Wakeboard Competition & Demo. The proposed dates for the event are August 3<sup>rd</sup> and 4<sup>th</sup> from 9 am to 5 pm at 169 Lakeshore Drive, and an estimated 100 people plan to attend. Because this is a new event it must be approved by City Council. JJ Church from Finger Lakes Wake, LLC has been invited to the meeting to discuss the event and answer questions for Council.

JJ Church was at the meeting to discuss the event. They would like to utilize the public docks to host an event in conjunction with Mark's Leisure Time and Twisted Rail. He would essentially like to use it as a loading staging area and occupy 3 slips. Jim asked him if he was aware of the water restrictions and meet all safety expectations, and JJ said yes. He used to work for Ontario County Marine Patrol. John added we've asked JJ to prepare a safety plan and contact the Sheriff's Department to make sure that they will provide patrol and coverage. Steve asked how far out they would be wake boarding, and JJ said it will be dependent on water conditions but they plan to do it further out. They need about 20 ft deep water, and the crowd would be watching from shore as it livestreams on Facebook. Steve asked how other boaters will know to avoid the event, and JJ said they would follow standard navigation laws. Renée asked what the plan to charge, and he said there is no fee for attendees. They plan to charge \$30 + \$10-20 for entrants to cover their insurance. The remaining docks will be available, and John is ok with it as long as they have a coordinated effort and safety plan.

**Nick moved to approve the event so long as the above conditions are met, Steve seconded.**

**4 in favor, 0 opposed.**

**Motion carries to Full City Council.**

**2. Climate Smart Communities Grant**

On April 23, 2019, the City of Canandaigua was designated as a Bronze Certified Climate Smart Community by the New York State Department of Environmental Conservation (NYSDEC), making it only the 23rd municipality in the State to receive certification. While other communities followed the prescribed path outlined by the CSC program, The City of Canandaigua's certification is the culmination of all the work done by the City over the last decade. Essentially, we earned the certification without establishing the critical benchmarks other certified municipalities have used to guide future actions. These baselines and inventories (Government Operations Greenhouse Gas Inventory, Community Greenhouse Gas Inventory, Natural Resources Inventory, and Climate Vulnerability Assessment) must be completed so the City to pursue Silver Certification successfully. An RFP for these actions was sent to three agencies on June 7th, with only Impact Earth responding with a bid of \$55,875 for all 4 projects combined. There is a Consolidated Funding Application (CFA) Grant that would fund 50% of the cost, but the application

requires both City Council approval via formal resolution including a source for the match. CSC Chair Suzi van der Sterre & Coordinator Rob Richardson will be at the meeting to discuss the request and answer questions for Council.

Suzi and Rob were at the meeting to discuss the request. There was discussion about where the money would come from should the grant be awarded.

**Steve moved to approve request, Nick seconded.**

**4 in favor, 0 opposed.**

**Motion carries to Full City Council.**

### **3. Water Meter Endpoint Replacement Project**

Last year, City staff began to look into the replacement of the water meters and endpoints. After testing pilot of water meters and review of the usage (water meter useful life is measured by years and/or usage), City Staff determined that the residential meters do not need to be replaced. However, the endpoints have reached their useful life, have begun to fail and need replacement. The 2019 Water Fund and Sewer Fund Capital Budgets included \$112,500 for 2019, 2020 and 2021 (\$225,000 in total each year) for this purpose. The City's system is comprised of Badger meters and as such, the endpoints should also be Badger for capability and warrantee purposes, as the meters themselves are not going to be replaced. Badger has one distributor in the Northeast, Schmidt's Wholesale in Monticello, NY, and as a result is a sole source. Competitive Bidding is not required under NYSGML §103 in such cases; however, the Purchasing Policy requires City Council authorization.

Jim and John provided a brief synopsis of what an "endpoint" is, and we need to replace them as they reach the end of their useful life. Because we aren't replacing the meters, we are trying to establish this as a sole source as there is only one distributor in the Northeast. Staff is asking for authorization to move forward. Jim asked about the budgets moving forward, and if the numbers quoted were including the meters. John said no, and this will require 3900 homes to get changed over and split funding totaling \$675,000 for 2019, 2020, and 2021. John said other end point manufacturer would meet specs, and Badger wanted us to upgrade the entire system. This will allow us to check water reading via radio transmission, which will also help with leak detection. Rob asked if these prices are locked in, and Jim said he wouldn't expect them to hold it until next but will ask.

**Steve moved to approve request, Nick seconded.**

**4 in favor, 0 opposed.**

**Motion carries to Full City Council.**

### **4. WQIP**

The City's Waste Water Treatment Plant (aka Water Resource Recovery Center) is required to disinfect its effluent as part of its permit renewal from the NYSDEC. Last year, the City began the design of the disinfection by hiring an engineer (Hunt Engineers) to evaluate the different technologies and design the necessary improvements. The City included grant writing for the project as part of the RFP to design the disinfection improvements and as such Hunt Engineers has prepared a grant application. The Water Quality Improvement Project (WQIP) Program is a competitive, statewide reimbursement grant program open to local governments. This year the program's high priority is for wastewater effluent disinfection projects and will fund up to \$1,000,000 with a 25% local match. As part of this grant a SEQR needs to be completed

by City Council. Attached to this agenda is the completed SEQR form for City Council's review. In summary, the project will be an improvement to the environment by removing pathogens from the effluent waste stream and providing enhanced water quality.

John explained we will need to do this if we want to continue to operate our own, and this grant will allow us to get 75% of the project paid. John thinks he believes that we have a strong chance of receiving funds. The SEQR shows we will be improving the environment because we will be disinfecting our affluent.

**Steve moved to approve the SEQR, Nick seconded.**

**4 in favor, 0 opposed.**

**Motion carries to Full City Council.**

## **5. Main Street New York Grant Program**

One of the largest opportunities for revitalizing Downtown exists in the renovation of the 2<sup>nd</sup> and 3<sup>rd</sup> floors of Main Street's Historic Buildings. The 2019 Consolidated Funding Application (CFA) the New York State is offering funding under the New York Main Street Program's Technical Assistance category to conduct a Building Reuse/Feasibility Analysis (an analysis of rehabilitation or adaptive re-use option for downtown, mix-used buildings to provide property owners with the resources necessary to make informed decisions regarding the feasibility of rehabilitation projects). The study will provide actionable data on how best to approach these projects. In order to submit an application for this grant program, City Council must pass a resolution supporting its submission and committing to at least 5% match of the total project cost, such that applying for the maximum of \$20,000 in NYMS funds will require a minimum of \$1,053 in local match in the form of cash contributions from a specified source. It should be noted that this grant application is in partnership with the BID, who is funding the grant writer costs. If awarded the information from the technical assistance will be utilized to apply for funding in 2020 for the construction and rehabilitation. The information from the technical assistance will also be helpful as part of the DRI planning process, if the City is awarded the DRI this year.

John stated this is similar to the last item. This will allow us to do a feasibility study to go into the upper stories on Main St. to bring them up to code and make them residential or commercial spaces. This will help property owners and also show project readiness for future applications, and this \$20,000 should be able to leverage property owners for more. It also helps us apply for other funding sources to fulfill this portion of the comprehensive plans. The BID is funding the grant writer for the application, so they are fully in support.

**Nick moved to approve the request and SEQR, Rob seconded.**

**4 in favor, 0 opposed. Motion carries to Full City Council.**

**We will also declare the street sweeper excess on July 11<sup>th</sup>.**

## **6. Canandaigua Finger Lake Resort Dock Request**

At the June 20<sup>th</sup> PUD Committee meeting, the City Council discussed a request from the Canandaigua Finger Lake Resort to extend the existing Canandaigua Lady dock to create 32 total slips to be owned and maintained by the condominium association. Questions regarding the ownership of the dock and the New York State Office of General Services permit arose. This item was added to the Finance/Budget Committee agenda to provide an update/answer to those questions.



Terence provided a brief overview of the OGS leases signed on August 14<sup>th</sup>, 2001 for the Lady Dock. Essentially, the license was given to Steamboat Landing LLC, but it had a 5-year rent free term and a new application must be submitted for the dock to remain. We gave up easement rights to build a dock that never came to be. There is a provision saying they need to remove the dock if it is out of lease and an application must be submitted for it to continue to exist. It cannot transfer ownership, so how can you assess something without ownership. John confirmed that Bob Murphy is aware and drafting a renewal application, but City Council would need to approve the application. Steve was not inclined to support more boat slips, but he is inclined to support the Canandaigua Lady. He would also like to look at environmental impacts. Renée agree with Steve, but they might apply to build a bigger dock- the only application we will approve is to continue the Canandaigua Lady.

## **7. Budget Discussion**

At the May 30<sup>th</sup> Finance/Budget Committee, Councilmember Steve Uebbing and Jim Terwilliger suggested that City Council should be discussing general budget priorities to help staff in their development of the 2020 Budget later this year. This discussion began at the June 4<sup>th</sup> Planning/Development Committee Meeting and was added to this agenda for further consideration.

Jim asked if there were any other priorities that they want John to consider. The Mayor asked about more money coming in and how it would impact us next year, and John said he isn't holding his breath. We are also about \$10,000,000 on the assessment roll because of Thompson. Steve is worried about increased costs and variables impacting the total levy, which is complicated with adding staff and paying people what they should be paid. Chief Hedworth said law enforcement recruitment is down, and 30% won't pass the test, another 30% will drop through the agility portion. He is currently down 2, but we are losing a reservist and 5 eligible for retirement. They are struggling to recruit, find academics, and keep guys. Steve asked Chief if, he was fully staffed, would he have enough guys. Steve said no- they have been systematically cut in the 20 years he's been here. We're reaching critical mass/crisis stage in terms of safety and staffing for his department, as well as crossing guards- and that is only his department. Karen wants to know where we are looking to cut costs, and some years you need to make adjustments. The Mayor said we can look at outsourcing some things to cut costs, but we also have to consider costs for upcoming legislation. John said we can outsource garbage and improve our budget, but it will impact household budgets substantially. Steve is concerned in seeing further cuts in services and programs, because we've already done that- like cutting the fire department a decade ago. We will need to be careful about growth- we need to be cautious. Dave believes we need to fund what we have, and the citizen survey says our community wants those services to continue but we need to be cautious of an economic downturn. Karen believes we need to stop agreeing to give away money via PILOTS and benefits granted through the IDA. Dave is sick of having his personal time wasted talking about PIFs and PILOTS. He reminded everyone that, while we do give up some money, ultimately these agreements bring projects to the community that wouldn't come otherwise. Robert wants to see us continue to be focused on infrastructure maintenance, and he is very concerned about our water system and that we should spend more in those areas. We could raise water rates to cover this work. He also wants to raise the fees on the fee schedule. Terence asked if this should include fines, and Jim said yes.

**Nick motioned to adjourn, Steve seconded.**

**Meeting adjourned at 9:00 p.m.**

**APPENDIX E**  
**COMMITTEE OF THE WHOLE**  
**Thursday, July 9, 2019**  
**6:00 p.m.**  
**Council Chambers- The Hurley Building**

**Committee:** Mayor Polimeni, Nick Cutri (Absent), Bob Palumbo, Karen White, Renée Sutton, Robert O'Brien, James Terwilliger, David Whitcomb (absent), Steve Uebbing (6:53 PM),,

**Staff:** John D. Goodwin, Chief Steve Hedworth

1. **LDC Interviews** City Council interviewed Thomas Lyon, Bob Taylor, Terrie Silverman, and Christine Grosodonia for the unelected City representative position on the LDC Board.
2. **Special Event- Habitat Block Party** City Manager John Goodwin reviewed the special event application and recommended approval contingent on receipt of a petition with at least 60% of effected resident signatures. Councilmember Sutton asked how the police and fire departments felt about the event. Chief Hedworth was in attendance and stated that there are not public safety concerns with the event. Councilmember Palumbo asked about the traffic detour. John Goodwin said the detour would be Center Street to Beeman and then Pleasant Street and noted that it is a small block and not a major trafficked street.
3. **Discussion- Inn on the Lake PILOT Application to Ontario County IDA** Councilmember White asked that this item be discussed and wanted to have a discussion with the rest of City Council about the Inn on the Lake request and PILOTs in general. She stated that the City, School and County tax revenue is affected and that the City should not be passive. She asked if City Council wants a position or to have input to provide the IDA. She stated that the City needs development, but developers need the City too, to provide services and they should pay their fair share.

Councilmember Palumbo stated that his position is the same as the other hotel. Services and infrastructure are needed to support these projects and we are giving away the tax base needed to support it. The Inn on the Lake will be bringing in a lot of people and business into the City that will need the services of the City. He stated he was opposed to the PILOT.

Councilmember Sutton stated that the City Council needs to take a position, but felt that if the stated position should be unanimous. She stated that she is opposed to the PILOT. She also expressed concerns about not having information regarding the request and thought that the IDA was not being transparent. City Manager Goodwin stated that he sent the IDA information to City Councilmembers and would resend.

Councilmember O'Brien stated that there is not data to base a decision on because it has not been shared. He felt that the IDA was not transparent and that the public notice in the paper was confusing. He stated that the City Council should take a stance.

Councilmember Terwilliger stated that he did not like the process and felt that communication is lacking. He suggested that City Council deserves much greater curtesy from the IDA and should get our input.

Councilmember Uebbing stated that the IDA is supposed to review and make an objective analysis on a case by case basis. He stated that the City does not lose revenue, PILOTs are only for the improvements on the property. The IDA does an analysis with a New York State approved formula. He stated that he likes the fact that the analysis is done on an independent non-political case-by-case basis. He stated further that City Council did not have the economic analysis or the cost/benefit to base any position on and that the



City Council should review the analysis before making a determination.

City Manager John Goodwin stated that the IDA is currently conducting the cost/benefit analysis. The only thing that has been decided by the IDA is to have a public hearing and conduct the analysis. Once the analysis is complete and provided, he would share with City Council. The IDA stated that it will be completed by July 17<sup>th</sup>.

Mayor Polimeni stated that the City Council should take up the communications issues with the IDA. She suggested having a representative from the IDA come and share the analysis with City Council.

Councilmember Terwilliger asked the City Manger the assessed value of the property. John responded \$4,468,000 which is down from \$11,121,000 in 2018 as result of the demolition. John stated that the request is based upon the current assessed value. Councilmember Uebbing suggested that it should be based on the \$11 million.

Mike Yager stated that he appreciated where the discussion was headed, but that the City Council is not going far enough. He stated that the City Council should be requesting the elimination of the IDA as they are an unelected body. He suggested that elected officials should be making the decision.

Joe Nacca stated that he understands that IDA's are across the entire state, but that it would be nice if we could start a movement to eliminate IDAs. He stated that the City, School District and the County Board of Supervisors should speak out.

Mayor Polimeni stated that she would like Mike Manikowski to come and present the analysis to City Council. She also asked for a volunteer from City Council to attend all IDA meetings. Councilmember White volunteered.

Councilmember Sutton stated that she didn't need the analysis to be opposed to the request. She is not in favor of giving tax breaks to billion-dollar corporations or individuals. She stated that the IDA has an accountability issue as they are not elected.

Daniel Lyon suggested that the City Council ask about the timing of the request. Appears that they waited to demo the building and have a lower assessed value before making the request.

A meeting date of Monday, July 22<sup>nd</sup> at 6 PM was tentatively scheduled to invite Mike Manikowski to present the analysis.

Motion made by Councilmember White, Seconded by Bob Palumbo to discuss personnel matters at 8:40 PM.

Motion to closed the Executive Session and adjourn made by Councilmember O'Brien, seconded by Steve Uebbing at 8:59 PM.